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10 Attorneys for Plaintiff, STEM, INC.

11 UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 STEM, INC.,
14 a Delaware Corporation,

15 Plaintiff,

16 vs.

17 SCOTTSDALE INSURANCE
18 COMPANY, an Ohio Corporation,

19 Defendant.

CASE NO. 3:20-cv-02950-CRB

Assigned to Honorable Charles R. Breyer

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY JUDGMENT
REGARDING SCOTTSDALE
INSURANCE COMPANY'S DEFENSE
OBLIGATIONS**

Date: April 29, 2021
Time: 10:00 a.m.
CTRM: 6

20 The Court having considered the papers submitted in support of and in opposition
21 to Plaintiff's motion for partial summary judgment, and good cause appearing therefore,

22 IT IS HEREBY ORDERED that Stem's motion for partial summary judgment is
23 GRANTED. The Court finds that Scottsdale Insurance Company has breached its
24 defense obligations owed to the directors of Stem, *i.e.*, Messrs. Zeb Rice, John Carrington
25 and David Buzby, who are named as defendants in the 2017 Shareholder Lawsuit. The

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1 Court further finds that Scottsdale has breached its defense obligations under both the
2 2013-2014 Policy and the 2016-2017 Policy.

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4 DATED: April __, 2021

5 CHARLES R. BREYER, JUDGE
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